

REMARKS

1. Status of the Claims

Claims 1-29 are pending. A minor typographical error in claim 6 has been amended: "trimester" was changed to "trimester."

No new matter has been added.

2. Rejection Based on 35 U.S.C. § 103

Claims 1-29 stand rejected as allegedly being unpatentable over EP 343 863 (hereinafter, the '863 patent). Applicants respectfully disagree.

The claims as amended, require the phosphorus compound to be bis(2,4-dicumylphenyl)pentaerythritol diphosphite. This compound is not mentioned in the '863 patent. Hence, the Office has not established a *prima facie* case of obviousness.

Further, the use of bis(2,4-dicumylphenyl)pentaerythritol diphosphite affords surprising and unexpected results. In Examples 1, 4, 5, and 8, tris(2,4-di-t-butylphenyl)pentaerythritol diphosphite was used as the phosphorus compound, while in examples 2, 3, 6, 7, 9, and 10, bis(2,4-dicumylphenyl)pentaerythritol diphosphite was used. See Tables 1 and 2 for a summary of the examples. See also pages 21-22 and Figures 1 and 2.

The data clearly illustrates that replacing 1600 ppm of tris(2,4-di-t-butylphenyl)pentaerythritol diphosphite with 800 ppm of bis(2,4-dicumylphenyl)pentaerythritol diphosphite increased the LTHS (long term heat stability) "by more than 700 hours (1 month) at 150 °C." See page 22 of the PCT application.

Thus, the claimed subject matter displays surprising and unexpected results, and it is not obvious.

In light of the above, Applicants respectfully request reconsideration and withdrawal of the 35 U.S.C. §103 rejection based on the '863 patent.

CONCLUSION

Applicants respectfully submit that all requirements of patentability have been met. Allowance of the claims and passage of the case to issue are therefore respectfully solicited.

Should the Examiner believe a discussion of this matter would be helpful, he is invited to telephone the undersigned at (312) 913-2114.

Respectfully submitted,

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